



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Garth L. Wheeler
Director

1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
TDD (804) 386-8732

Criminal Justice Services Board

March 14, 2013

Members Present

Sgt. Carol Adams
Hon. Robert Bushnell
Mr. Charles Ciccotti
Chief Rick Clark
Sgt. Charles Condon
Hon. Thomas Garrett, Jr.
Mr. Mark Gooch
Hon. Clarence Jenkins
Sheriff Charles Jett,
Chairman
Mr. Alan Katz
Mr. Edward M. Macon
Hon. Jackson Miller
Mr. William Muse
LTC Northern, Proxy for
Col. Flaherty
Sheriff Dennis Proffitt
Mr. Bobby Russell
Ms. Cookie Scott
Hon. Sherman Vaughn, Sr.
Pastor Aaron Wheeler

Members Absent

Chief Jeffrey Brown
Mr. Ted Byrd
Mr. David Johnson
Mr. David Rohrer
Hon. Beverly Sherwood
Ms. Debbie Smith

DCJS Staff Present

Stephanie Arnold
Rick Arrington
Leon Baker
Bruce Cruser
John Colligan
Marc Dawkins
Gary Dillon
Kassandra Edwards
Julia Fuller-Wilson
Demian Futterman
Teresa Gooch
Sam Hoffman
Laureen Hyman
Tracey Jenkins
Kathi Lee
Laurel Marks

Joe Marshall
Lisa McGee
Donna Michaelis
Drew Molloy
Neadie Moore
Jerri Smith
Heather Smolka
Denise Stockton
Janice Waddy
Garth Wheeler

Others Present

Chief Craig Branch,
Germanna Community
College PD
Victoria Cochran
Tim Kehoe, Chesterfield PD
Calvin LaSmith, Sr.,
Chesterfield V/W
Deputy Secretary Bryan
Rhode
Dana Schrad, VACP
Thomas Von Hemert, TJA-
CIT

I. Call to Order

Chairman Charles Jett called the meeting to order at 11:00 a.m., welcomed everyone to the meeting and thanked them for their commitment to the Criminal Justice Services Board.

Chairman Jett reminded guests to please sign the attendance sheet for the purpose of the minutes and asked the Board members to state their name when making a motion or seconding, to speak clearly for the purpose of the minutes and to check that their microphone was turned on at their seating area. He further reminded staff/persons speaking from the floor to step up to the podium and speak into the microphone for the purpose of the minutes.

Chairman Jett then asked Ms. Laureen Hyman to take the roll call. Ms. Hyman stated that there was a quorum with 20 members present.

II. Approval of Minutes from Last Meeting

Chairman Jett then called for a motion to approve the minutes of the December 6, 2012, meeting. Mr. Sherman Vaughn made the motion, Mr. Mark Gooch seconded the motion. Chairman Jett stated that it had been motioned and seconded that the Board approve the minutes of the December 6, 2012, meeting with no corrections, additions, or deletions.

III. Director's Report

DCJS Update—State Budget

Director Garth Wheeler

At the last meeting, Director Wheeler commented that DCJS, like every other state agency, was tasked with submitting recommendations on how to accomplish savings of 4% from the General Fund budget for the next fiscal year. Ultimately, the Governor's proposed budget amendments did include reductions in the state matching funds used in connection with the Juvenile Accountability Block Grant program; and the funds used to administer our regulatory program and the asset forfeiture program. These reductions were retained in the budget enacted by the General Assembly. DCJS is now working to implement them in ways that will minimize their impact on our services in the coming fiscal year. The General Assembly also added funds to other parts of the budget in response to recommendations from the Governor's Task Force on School and Campus Safety.

Specifically, they provided \$1.3 million that will be used to make grants for school resource officers and school security officers. Grant guidelines are being drafted and plans are in place to solicit grant applications in early April, so we can issue the grants in time for start-up on July 1. Also in the school safety realm, DCJS was given \$202,000 to develop a model critical incident response training program for public school personnel and a model policy for establishing threat assessment teams in public schools. The General Assembly also increased by \$183,000 the funding for our Pre- and Post-Incarceration Services (PAPIS) offender re-entry programs.

DCJS Update—Federal Budget

Regarding the "sequester", DCJS is expecting that all of our federal funding sources will be reduced by about 5%. Guidance or specifics have not been received from the Justice Department offices that administer these programs, so there are no details available at this

time. The sequester will affect the federal fiscal 2013 funds, **not** the funds currently in place. None of the federally funded grants currently active are affected.

DCJS Update—Other News

Director Wheeler reported that DCJS had completed and published the agency's Strategic Plan which lays out agency goals through FY 2017, providing a useful roadmap for DCJS in the coming years. This plan is the result of a process that began last year that included getting input from constituents, both local and state, including board members.

A copy of the Strategic Plan was provided to each board member present and Director Wheeler explained that it can also be found on the DCJS website.

The DCJS Annual Report is also complete and was mailed to each board member. The link to this report can also be found on the DCJS website. This report provides a good overview of the Department's work in the last fiscal year.

IV. Advisory Committee on Juvenile Justice

Ms. Tracey Jenkins gave a presentation on the Advisory Committee on Juvenile Justice. Virginia began receiving funding under Title V of the Juvenile Justice and Delinquency Prevention Act in 1998. Title V funds have been specific for the purpose of community delinquency prevention.

Ms. Jenkins explained the history of these grant funds and noted that the funding has fluctuated greatly over the years. No funds were awarded from FFY2012 and additional Title V funds are not expected at this time in the foreseeable future. Though funds do continue in the federal budget for Title V, they are fully earmarked. DCJS currently has three sub-grantees who are providing bullying prevention programs with these funds. Each sub-grantee is eligible for a third year of funding. Despite our lack of additional funds, there are some unexpended funds that must be expended quickly.

Staff proposed using these funds to provide funding for the three current sub-grantees to the Advisory Committee on Juvenile Justice at their meeting on February 20, 2013. There were no objections. Funds will be for shortened project periods due to the federal expiration dates. All sub-grantees understand that they have a short turn-around time to expend the funds.

The Advisory Committee recommends that the Criminal Justice Services Board approve the following funding recommendations:

- \$5,402 in FFY 2009 funds to New River Valley Community Services Board for Giles County.
- \$18,222 in FFY2010 funds to Virginia Beach.
- \$11,387 in FFY2011 funds to New River Valley Community Services Board for Radford.

Mr. Rick Clark made the motion to approve the recommendations of the ACJJ, Mr. Charles Ciccotti seconded the motion.

V. Committee on Training (COT)

Chief Clarke gave a report on the Committee on Training.

The Committee on Training unanimously adopted the Auxiliary Police Officer training standards at three different levels based on a presentation by Ms. Gooch.

Level 1 auxiliary officers receive full training just like certified officers. Training requirements provide that the Level 2 auxiliary officers receive training in the use of firearms for the limited duties they perform while carrying a firearm in the course of their duties. Local police departments have the option to have them fully trained at a DCJS approved academy or satellite or provide it through in-house training. For Level 3 officers, they will have specific duties such as traffic control, and will not be armed. For these officers, they would have the same basic option for training as with level two.

Chief Clarke pointed out that this program will be reviewed in 12 months as a follow up to see the success of the program.

Mr. Bob Bushnell made the motion that the changes to the training standards proposed by the Committee on Training be adopted by the Board, Mr. Clarke seconded the motion.

Senator Garrett asked if these changes were to the current standard and if the costs associated with these changes had been looked at for each locality?

Teresa Gooch addressed Senator Garrett's question, explaining that the training standards review had been a long and detailed process. There were a lot of different interpretations of the old law that needed to be clarified. As a result of legislation that passed last year, DCJS was directed to create graduated levels of training for the different duties assigned.

Senator Garrett noted that, as a result of the house legislation, this should ultimately push costs down as localities who interpreted the standards as being that level 2 and 3 officers needed fully certification, will now have a route around that where they can provide the training in house.

Ms. Gooch confirmed that is the case and that it also provides options for both the police chiefs and sheriffs to make decisions that are relevant to their specific agency.

VI. Executive Committee

Sheriff Jett

Sheriff Jett noted that on February 22, 2013, the Executive Committee held an Administrative Hearing as it relates to: The Department of Criminal Justice Services vs. Douglas W. Rothell. Case number 2012021.

This appeal hearing was held before a quorum of the Executive Committee for the Criminal Justice Services Board to review the November 19, 2012 decision of the Department of Criminal Justice Services, Division of Regulatory Affairs to levy an Order of Summary Suspension of licensure, sanctions and investigative and administrative fees as it relates to Douglas W. Rothell as a Property Bail Bondsman.

The issue before the committee was to determine if Douglas W. Rothell exceeded his pledged amount of collateral authorized while conducting Property Bail Bondman Bonding.

The committee's decision was unanimous to uphold the Department's actions in regard to Mr. Rothell's Order of Summary Suspension.

The Committee unanimously voted to reduce the monetary sanction and upheld the requirement for a Deed or Deeds of Trust from Mr. Rothell to reinstate his license, once he has met the collateral requirement. The Deed or Deeds of Trust will be required from Mr. Rothell for a period of 24 months, pending no further violations.

The Committee unanimously upheld the investigative and administrative fees and included the ability for the Department to levy the cost for the Executive Committee's appeal hearing. Sheriff Jett thanked Mr. Bushnell, Ms. Scott, Mr. Ciccotti, Sheriff Proffitt and Chief Brown for their attendance at this hearing.

VII. Law Enforcement Committee

The Law Enforcement Subcommittee of the Criminal Justice Services Board (CJSB) met Thursday, March 14, 2013, at 10:00 a.m., at the Virginia General Assembly Building prior to the CJSB meeting. Subcommittee members present included Chief Rick Clark, Chairperson, Mr. Sherman Vaughn, and Mr. Alan Katz.

The Subcommittee reviewed a new Certified Crime Prevention Community (CCPC) application submitted by Chesterfield County. All members received a CCPC brief prepared by Mr. Rick Arrington of DCJS. Review of the application materials and the succeeding discussion demonstrated that, even with economic concerns, Chesterfield County Police Department's crime prevention efforts are strong thanks to two primary factors, community focus and professional staff development. Staff highlighted Chesterfield's focus on community involvement and empowerment and provided examples.

Mr. Vaughn noted that this was perhaps the best and most thorough CCPC application he had reviewed over the years. He and the other members were impressed that an unpaid volunteer led Chesterfield's CCPC application process.

Chief Clarke made the motion that we recognize the Chesterfield County Police Department as a Certified Crime Prevention community. The motion was seconded by Senator Garrett. Recusals: Sheriff Proffitt, Chesterfield.

VIII. Update on the Private Security Advisory Board

Mr. Ciccotti

The Board held their quarterly meeting on Friday, March 8, 2013 during the Private Investigators and Security Association (PISA)'s symposium hosted by Golden Seal Enterprises in Winchester, Virginia.

Mr. Ciccotti spoke regarding bills from the 2013 session of the General Assembly affecting the PSSAB's constituency:

Private Security Services: (Electronic Security and Locksmith Industry)

- **HB 1604** introduced by Delegate Peter F. Farrell: Prohibits the Criminal Justice Services Board from adopting any regulation that would prevent an employee of any electronic security business, other than an alarm respondent, or a locksmith from carrying a firearm in the course of that person's duties when such person has been issued and carries with him a valid concealed handgun permit. This bill passed the House and Senate, has been signed by the Governor and will go into effect July 1, 2013.

What this means is that electronic security sales representatives, technicians, tech assistants, central station dispatchers and locksmiths will no longer be required to obtain a firearm endorsement from DCJS nor will firearms training be required.

- **HB 1363** introduced by Delegate C. Matthew Fariss: **Private security services businesses; exemption.** Exempts employees and sales representatives of an electronic security equipment retailer where they (i) sell the equipment at a store location, online, or by telephone, but not at the end user's premises; (ii) are not electronic security technicians; and (iii) do not have access to end user confidential information regarding the end user's electronic security equipment. This bill passed the House and Senate and is waiting for the Governor's signature.

Special Conservators of the Peace:

- **HB2058** introduced by Delegate Michael J. Webert and companion bill **SB1048** introduced by Senator John S. Edwards authorized any museum owned and managed by the Commonwealth the ability to petition the circuit court for special conservator of the peace appointments. These bills passed both the House and the Senate and are waiting for the Governor's signature.

AG Opinion

Recently, there has been much discussion in regard to the interpretation and implementation of statutes and regulations governing the Special Conservator of the Peace program, specifically if the Code of Virginia prohibits a Virginia private security services business from hiring out the for-profit or non-profit services of a SCOP to a third party. The PSSAB has requested that DCJS request the advice and an official advisory opinion from the Commonwealth's Attorney General. DCJS has also advised the PSSAB that the SCOP regulations will be opened soon for review and amendment.

RA News Bulletin:

PSSAB was provided with a copy of the Division of Regulatory Affairs' RA News bulletin which is something the Division is working to have published quarterly. This bulletin provides important announcements regarding staffing, regulation, statistical information on the activities of the Division and compliance and enforcement case information. The PSSAB is very pleased with the wealth of information that this document provides and commented that it would be shared with their industry members. DCJS has placed these bulletins on their website and a copy has been included in our packets.

Press Release and Informational Brochure:

It has been discussed in numerous meetings with the industry, the PSSAB and DCJS about the ongoing issues concerning unlicensed locksmith companies and what is considered locksmith scams. DCJS recently issued a locksmith scam alert which can be used by localities to develop their own release. This alert was sent out to Crime Prevention contacts, TRIAD and is posted on the Better Business Bureau website. DCJS is continuing to use every opportunity to educate consumers and law enforcement in addition to investigate cases of unlicensed activity.

The PSSAB is also working with DCJS to have an informational brochure produced titled: *What You Should Know before Providing or Contracting Personal Protection Specialist Services in Virginia*. This brochure will advise of the requirements for licensure and registration for companies and individuals providing personal protection specialist services, otherwise known as bodyguards or executive protection. DCJS requested that the PSSAB review the draft document prior to final publication. Once published this document will be

available on the Department's website and made available for licensed businesses, law enforcement agencies and other interested parties.

PSSAB Appointments and Upcoming Meetings:

Terms expire for six of the PSSAB members this upcoming June. These individuals will be eligible for reappointment. The Department will post an application package and notice the industry. All applications will be submitted to the CJSB Appointment and Nominations Subcommittee for review and recommendation at the June meeting.

The next PSSAB meeting is scheduled for Tuesday, June 4, 2013, in Richmond.

IX. Victim/Witness Grant Review Subcommittee

Mr. Muse reported on the March 4th meeting of the Victim/Witness Grant Review Subcommittee. The main item of the subcommittee meeting was the termination of VSTOP grant funds for CY2013 to the Bristol Crisis Center. The Executive Director of the center, Katherine Campbell, notified DCJS staff that her agency had lost United Way funding from the City of Bristol and the surrounding locality of Washington County, and that they would be looking into options to either close the agency or find an alternative to closure. She also informed DCJS staff the agency would struggle after December 31, 2012, to provide administrative services and pay for utilities.

Bristol Crisis Center had received VSTOP funding for 15 years to support a full time Outreach Advocate to provide advocacy and support services to victims of domestic violence, sexual violence, and stalking in the city of Bristol. They had an annual projection of reaching at least 158 victims. The Outreach Advocate was also responsible for promoting community awareness and providing training to allied professionals.

On November 19, 2012, DCJS received correspondence from Bristol Crisis Center of their Board's decision to terminate their VSTOP grant and the domestic violence program on December 31, 2012. The letter further mirrored conversations between the grant monitor and the Executive Director of Bristol Crisis Center recommending the grant award be transferred to Abuse Alternatives; an agency with a like mission that will ensure continuity of essential domestic violence services in the community.

Abuse Alternatives has received funding from DCJS in excess of 10 years and maintains a strong foundation for services to domestic violence victims and offers sustainability of their programs. Abuse Alternatives maintains the same level of services and community involvement in the City of Bristol as did Bristol Crisis Center.

After numerous meetings to discuss this matter, DCJS staff considered several factors prior to recommending the award for calendar year 2013 be transferred to Abuse Alternatives:

- The recommendation by the agency terminating the grant funds and its domestic violence services;
- Continuity of services to victims of domestic violence in this particular service area by an agency with a similar mission and in good standing with DCJS grant conditions and assurances; and
- Evidence that the agency to receive the award was already providing services to victims of domestic violence in the City of Bristol.

It was recommended that DCJS staff initiate a fast track bidding application that is competitive and geographically specific. Only current VSTOP recipients that serve Washington County would be eligible. This included Abuse Alternatives and People, Incorporated. Further, this award would apply to funding for CY2013 only.

- It was further determined that Abuse Alternatives and People, Inc., be allowed to compete for the VSTOP funds in the amount of \$30,335.
- Pursuant to the instruction of the subcommittee, staff spoke with the Executive Director of People Incorporated as to their interest, and was informed that they were not interested in applying for the VSTOP funds. In addition, they recommended Abuse Alternatives receive the funds because that agency was already providing services in the City of Bristol.
- Rob Goldsmith, the Executive Director of People Inc., also sent an email to DCJS confirming that they appreciate the invitation, but "People Incorporated will not be applying for this funding to provide domestic violence services in the City of Bristol."

Mr. Muse made the motion that the Board approve a conditional award in the amount of \$30,335 to Abuse Alternatives for calendar year 2013 to provide services to victims of domestic violence in the City of Bristol, Virginia. Pastor Wheeler seconded this motion.

X. Legislative Update

Ms. Tracey Jenkins, DCJS

This year is a short session for the General Assembly. The DCJS legislative team is fabulous and works hard during legislation, but the entire agency is impacted during the session. Many bills were reviewed, and then state agencies complete legislative reviews which are forwarded to our respective Secretariat and then on to the Governor's Policy Office. DCJS staff completed written reviews on 54 bills. Some of these bills received 2 written reviews – one when the bill was first introduced and a second review after it passed both the House and Senate. 31 bills were identified as having a critical impact, on DCJS or on our constituents. These bills were continuously monitored throughout the session.

When staff attend these meetings, they will support, or oppose, legislation ONLY if there is a Governor's official position on it. Without this direction, our official position is 'no position'. On most legislation, an official position is not taken. This is something that sometimes frustrates our various constituent groups. Many wish for us to advocate for them in legislative meetings. However, staff are the voice of the administration when in front of these committees and we cannot make a public statement on a position without the Governor's position.

DCJS received a number of new duties and study assignments this year through either changes to the *Code* or budget language. The veto session is April 3, 2013, and some changes may be made. Most studies will impact the Programs and Research areas of the agency:

- A review of jail prisoner reentry and substance abuse programs that have demonstrated a record of effectiveness in reducing offender recidivism. We are to specifically include an assessment of the Kingdom Life Ministries program at the Richmond City Jail, and a determination of the costs and benefits associated with the program.
- A review of other states which have established lethality assessment programs to train law enforcement officers in responding to situations involving domestic violence and

potential deadly threats. This actually started as a bill directing DCJS to establish these and specified a funding source to fund the establishment of such programs. (No funding.)

- A review of the potential applicability in Virginia of using alcohol monitoring devices for persons convicted of a first offense of driving while intoxicated. (No funding.)
- A review of the application of best practices and the potential for utilizing the intelligence-led policing model in Virginia law enforcement agencies. This review shall include the feasibility of creating incentives for the development of intelligence-led policing in the allocation of state or federal funds available through DCJS. (No funding.)
- A review of the Offender Reentry and Transitional Services programs to determine what services are provided, the types of funding provided to each program, the value of volunteer hours, the number of participants in each service, and the effectiveness of services in reducing recidivism. (No funding.)
- HB 1864 - With the Department of Education, develop a model cooperative agreement between schools and law-enforcement agencies for dealing with school-based offenses.
- As part of the Governor's School and Campus Safety Taskforce legislative package, amendments were made to the Code in regard to the Virginia Center for School Safety:
 - HB 2344/HB 2345 - Develop a model critical incident response training program. This is to be done in conjunction with the Department of State Police, the Department of Behavioral Health and Developmental Services, and the Department of Education.
 - HB 2344/HB 2345 - Provide schools with a model policy for the establishment of threat assessment teams, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of school staff or students. This is to be done in consultation with the Department of Education. We are also directed to provide technical assistance to schools in this area.
 - Unlike the other directives mentioned, we did receive an additional \$202,300 in funding for expenses associated with the new directives resulting from the Taskforce.
 - HB 2346 – Develop a school inspection check-list to use on walk-throughs which will be conducted as part of the annual school safety audit process.

In the Regulatory area of the agency, a few bills passed which will necessitate a review of regulations, and possible changes:

- HB 1363 – Exempts from training requirements employees and sales representatives of an electronic security equipment retailer where they (i) sell the equipment at a store location, online, or by telephone, but not at the end user's premises; (ii) are not electronic security technicians; and (iii) do not have access to end user confidential information regarding the end user's electronic security equipment.
- HB 1604 – Prohibits DCJS from adopting any regulation that would prevent an employee of an electronic security business, other than an alarm respondent, or a locksmith, from carrying a firearm in the course of that person's duties when such person has been issued and carries with him a valid concealed handgun permit.

- HB 2294 – Prohibits owners or employees of a bail bond company that posts a pretrial defendant's or post trial offender's bond from engaging in what may be considered consensual sexual activity with that defendant or offender ("without use of force, threat, or intimidation").

In the Law Enforcement area of the agency, a couple of bills passed which will necessitate a review of procedures and some changes:

- HB 2121/SB 1026 - Identifies additional criminal activities which would prevent an individual from being hired as a law-enforcement officer. Additionally, the bills strengthen the Code as to the decertification of law enforcement officers. First, the bill clarifies that a sheriff, chief of police, or agency administrator SHALL notify the CJSB when any certified law-enforcement officer or jail officer, currently employed, is convicted of, or pleads guilty or no-contest, to certain crimes. As currently written, there is no requirement for action on the part of the Sheriff or Chief when a law enforcement officer is convicted. The bill further provides the CJSB with the authority to initiate the decertification process on its own.

These bills came out of the Crime Commission and DCJS staff worked with them before and during session to achieve the final product.

- SB 1024 – Provides DCJS with an exemption to the Administrative Process Act when developing, issuing, or revising training standards approved by the CJSB under §9.1-102.

Several other bills dealing with law enforcement and training academies passed but should not have an impact on DCJS work including:

- Sovereign immunity of trainers at criminal justice academies (HB 1569/SB 1045)
- Cooperative agreements with private police departments (HB 1561/SB 1047)
- Clarification on workers compensation for trainees at an academy (HB 2016)
- In addition to the studies which involve the programs and research areas of the agency, budget language regarding the Chesapeake jail will involve some staff input.

XI. Crisis Intervention Training (CIT)

Ms. Stephanie Arnold, the CIT Program Liaison for DCJS and Ms. Victoria Cochran State Coordinator of Mental Health and Criminal Justice Services with the Virginia Department of Behavioral Health and Development Services gave a presentation on CIT.

Ms. Arnold explained that Crisis Intervention Training has been a forum for relationship building between law enforcement and mental health agencies in Virginia since 2001. CIT provides law enforcement and other first responders the tools they need when encountering persons experiencing a mental health crisis.

These important skill sets allow LE and 1st responders to de escalate a crisis situation so that a person in crisis may receive humane and empathic treatment rather than being taken to jail or other punitive measures that may be unwarranted.

DCJS grants 40 hours of partial in service training for the 40 hour CIT training and is in a partnership with DBHDS and the VA CIT Coalition Leadership. In this role DCJS provides technical assistance that may be asked of us from local programs, and assist in planning any trainings, conferences or workshops that may be necessary for refresher training or intermediate CIT training.

We also support CIT throughout the Commonwealth through grant funding. Since 2007 DCJS has provided over 2 million in federal funds and over \$700,000 in state funds to CIT programs around the state.

Ms. Cochran then spoke about the background of CIT programs, how they work and what they are doing in Virginia. There is an overrepresentation of people with serious mental illness in our criminal justice system. They are working to find the most effective, efficient and public safety conscious ways to reduce those numbers. The program originally began in Tennessee in 1988. It began in Virginia in 2001 in the New River Valley/Blacksburg area. In 2001-2004 the program was studied and funding was received from the federal government to develop the program in 2004. There are now 30 programs in various stages across the state.

CIT is made up of community collaboration and program oversight. The program requires a CIT Coordinator because it is a cross systems program and has multiple elements. Essentially it is a community policing program but helps to address a concern that police face every day – how to more effectively and safely handle persons with mental illness who are in crisis and whose behaviors may be unacceptable in public but may not require incarceration. The CIT program requires that program policies and procedures are established for each program, as well as to provide technical assistance.

A cadre of officers who become trained to do mental health interventions go through 40 hours of training and are self selected, supervisor approved, and road experienced. As a result of this training and their work with their partners, they create a 24/7 CIT response coverage. They are not involved in these type of cases all of the time, but when they are needed they are available to respond. When a person is identified as having a mental illness, they are now brought into services if they don't need to be incarcerated. Police officers who have taken this training can make assessments on whether individuals with mental illness are a danger to the community or just a problem in the community, and make sure they get the help that they need.

The CIT program ensures that services are available in the community and that law enforcement know how to access those services. In the past, officers would bring individuals to a magistrate's office or jail because they needed an emergency custody evaluation to determine if they need to be hospitalized which can take 4-18 hours at a time. During that time, the responder is not available in the community. Therapeutic assessment sites have now been developed where officers can bring individuals, drop them off, and have them securely held in a protected clinical setting until it can be determined what facility they need to go to next.

Additionally, the CIT program provides plenty of training to law enforcement and others and even offers a train the trainer program that can be taught to the community. Ms. Cochran expressed that, although CIT stands for Crisis Intervention Training, it could also stand for collaboration, infrastructure and training.

Mr. Bushnell asked if, in the areas of the CIT program where the assessment site has been up and running, standardized data has been collected? Ms. Cochran explained that they have this information for each program, but not across the board.

Mr. Thomas Von Hemert – CIT Coordinator for the Thomas Jefferson area, then spoke briefly about his program which began in 2006, after the New River CIT program began. He

also presented Garth Wheeler with an award of challenge coins and pins from the Thomas Jefferson area as a thank you for all of the support he has received from DCJS.

XII. Governor's School and Campus Safety Task Force

Ms. Donna Michaelis gave a presentation on the Governor's School and Campus Safety Task Force. Garth Wheeler and Donna Michaelis were both appointed to the Task Force which began on December 20th as well as the Public Safety Workgroup of the Task Force. The first meeting convened on January 14th and recommendations were due to the Governor by January 31, 2013.

Ms. Michaelis briefly explained the status of school safety in Virginia. She then provided an overview of the recommendations of the Task Force. There were three workgroups of the task force: Public Safety, Education and Mental Health. There were 65 initial recommendations from the Public Safety Work Group. The Public Safety workgroup streamlined the recommendations and looked at those that would be immediately impacted by the General Assembly budget and legislative impact. The 65 recommendations were narrowed down to 16 recommendations which are detailed below. Of these recommendations, 15 passed and 1 was referred to the Mental Health Work Group.

PS-01 Passed	<i>Immunity From Civil Liability</i> – This proposal expands current Virginia law by extending immunity to any person who reports, with good faith, information that an individual poses credible danger of serious bodily injury or death to one or more students, school personnel, or others on school property.	No budget impact
PS-02 Passed with Amendment	<i>Lockdown Drills Mandated</i> – Mandates schools to conduct one lockdown drill within the first 20 days of each semester of the school year.	No budget impact
PS-03 Passed	<i>Designation of Emergency Manager For Schools</i> – Each school division within the Commonwealth shall designate an Emergency Manager who can coordinate school preparedness within the division and also coordinate with the locality in which they reside.	No budget impact
PS-04 Passed	<i>Juvenile Records Information Sharing</i> -- Facilitates sharing of juvenile intake and petition information with school divisions and public and private institutions of higher education.	No budget impact
PS-05 Passed with Amendment	<i>Public Safety Study</i> – The Public Safety Workgroup and the Education Workgroup of the Governor's School and Campus Safety Taskforce will evaluate and assess the feasibility of armed security positions within the school building weighing the pros and cons and assessing the risks and liability concerns. Report will be provided by June 30, 2013.	Budget Impact
PS-06 Passed	<i>Restores § 9.1-110 Funding For SRO Incentive Grant Fund</i> -- Recommend appropriation of funds to replenish the School Resource Officer Incentive Grant Fund.	Budget Impact
PS-07 Passed with amendment	<i>Critical Incident Response Model Curriculum</i> – Directs DCJS, VSP, DBHDS, and DOE to develop model Critical Incident Response training for staff and those providing services to schools.	Budget Impact
PS-08 Passed	<i>Mandatory Establishment of Security and Vulnerability Checklists and Sharing of Crisis Management Plans with Law Enforcement and First Responders</i> – A - Mandates an annual school safety team vulnerability checklist be conducted using a standardized safety protocol provided by the VCSS and inclusive of CPTED principles. Results of such checklist will be shared with local law enforcement. B - Requires School Superintendents to share the results/findings of safety audits with the Chief Law Enforcement	Budget Impact

	Officer, and school crisis, emergency and medical response plans with the Chief Law Enforcement Officer and Chief Fire/EMS official of their locality.	
PS-09 Passed	Funding For Facility Upgrades – Proposes the creation of a fund to provide grants and loans to localities, subject to local match, for facility upgrades of older facilities to improve security.	Budget Impact
PS-10 Passed With amendment	Mandatory Study of College Threat Assessment Teams -- DCJS, in collaboration with DBHDS will conduct a study to determine compliance with 2008 legislation and evaluate the nature and quality of threat assessment teams in Virginia colleges and universities. Recommendations will be made to the General Assembly on needed improvements. Universities will be required to participate in this study.	Budget Impact
PS-11 Passed	Mandated Reporting Threat Assessment Analysis – Requires schools to annually report to the VCSS quantitative data collected on threat assessments. VCSS will examine the effectiveness of these processes and analyze statewide trends.	Budget Impact
PS-12 Passed	Funding For Threat Assessment Protocols --Creates a fund within the Virginia Center for School Safety to provide technical assistance to localities for developing threat assessment-based protocols.	Budget Impact
PS-13 Passed with amendment	Mandated K-12 Threat Assessment Teams -- Requires each School Board to establish a violence prevention committee and requires each K-12 school to have a multi -disciplinary threat assessment team similar to those in § 23-9.2:10 of the Code of Virginia.	Budget Impact
PS-14 Passed	Criminal Offenses -- Straw-man purchases, prohibited under existing Virginia law, occur when a person who lawfully may purchase a firearm purchases a firearm with the intent to transfer that firearm to a person who is ineligible to purchase a firearm. Depending on circumstances, this is punishable either as a Class 6 felony (1-5 years) or as a Class 5 felony. (1-10 years). This proposal increases the punishment for all straw-man transactions, adds a mandatory 1 year punishment for the purchaser, and adds a new mandatory punishment of 10 years for the ineligible person if the transaction involves multiple firearms.	Budget Impact
PS-15 Referred to Mental Health Workgroup and then back to Public Safety Workgroup	Criminal Offenses -- Virginia law (Virginia Code §§ 18.2-308.1:1, 18.2-308.1:2, 18.2-308.1:3 and 18.2-308.1:4) presently prohibits purchase or transport of firearms by: 1) persons acquitted by reason of insanity; 2) persons adjudicated legally incompetent or mentally incapacitated; 3) persons involuntarily committed or involuntarily admitted to outpatient treatment, or voluntarily admitted following the issuance of a temporary detention order; and 4) persons subject to protective orders. A violation of state law is punishable as a Class 1 misdemeanor (up to 12 months in jail). Violation of parallel provisions of federal law presently is a felony. This proposal would increase the punishment for the state law violation to a Class 6 felony, punishable by 1-5 years in prison or, in the discretion of the court, up to 12 months in jail.	Budget Impact
PS-16 Passed with amendment	Criminal Offenses – Creates new criminal offenses for entering a school while armed or while in possession of an explosive device while intending to commit a violent felony listed in Code § 19.2-297.1. Proposed punishment is a Class 3 felony (5-20 years).	Budget Impact

XIII. Old/New Business

Decertification of Law Enforcement Officer

On October 31, 2012, DCJS received notice from Sheriff Wilkins of Northumberland County Sheriff's Office requesting the decertification of former deputy Derek O. Jones, who was currently incarcerated at Lancaster County Jail pending sentencing for multiple sex offenses (Va. Code § 15.2-1707). A registered letter per code was sent to Derek O. Jones on November 5, 2012, advising him of the request of his decertification and the steps for an appeal that must be acted on within 30 days of receipt of this notification or he will be automatically decertified as a law enforcement officer in the Commonwealth. Derek O. Jones was in receipt of the registered letter on November 9, 2012 and no appeal was filed past the thirty day notice. On December 11, 2012, he was decertified as a law enforcement officer and all required entries were completed within TRex and the National Decertification Index.

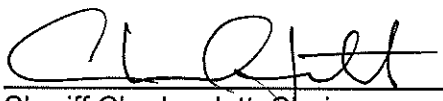
Copies of the registered letter were sent to Sheriff Charles Jett, Chair, Criminal Justice Services Board and Teresa Gooch, Director, Division of Law Enforcement (DCJS)

XIV. Next Meeting

Chairman Jett thanked Board members and guests for attending the meeting and stated that the next meeting was scheduled for May 9, 2013, at 11:00 a.m. in House Room D of the General Assembly building.

Chief Clarke made the motion to adjourn the meeting, Mr. Gooch seconded that motion. The meeting was adjourned at 12:21 p.m.

Approved:


Sheriff Charles Jett, Chairman